

STEVEN C. BABCOCK
Assistant Federal Defender
Federal Defenders of Montana
Billings Branch Office
2702 Montana Avenue, Suite 101
Billings, Montana 59101
steven_babcock@fd.org
Phone: (406) 259-2459
Fax: (406) 259-2569
Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR ELVIN LOPEZ,

Defendant.

Case No. CR-18-120-BLG-SPW

**MOTION TO WITHDRAW
AS ATTORNEY OF RECORD
AND APPOINTMENT OF
CJA PANEL ATTORNEY**

COMES NOW Defendant VICTOR ELVIN LOPEZ, by and through his attorney, STEVEN C. BABCOCK, Assistant Federal Defender, and the FEDERAL DEFENDERS OF MONTANA and moves the Court for an order allowing him to withdraw from the above-referenced case and for the appointment of new CJA counsel.

Mr. Lopez has filed a pro se motion expressing his grievances with the undersigned. Additionally, Mr. Lopez has refused to talk with the undersigned. There is a disagreement about the filing of additional pretrial motions that has brought the attorney/client relationship to a standstill.

It is unfortunate that this motion had to be filed, however, Mr. Lopez deserves counsel that he can work with to resolve the pending issues and assist with his defense. The undersigned is unable to effectively represent Mr. Lopez at this time.

Undersigned counsel respectfully requests that he be allowed to withdraw and Daniel Ball, CJA Panel Attorney, be appointed to represent the defendant for all further hearings.

Bryan Dake, Assistant United States Attorney, has been contacted and takes no position on said motion.

RESPECTFULLY SUBMITTED this 27th day of August, 2020.

/s/ Steven C. Babcock

STEVEN C. BABCOCK

Federal Defenders of Montana

Counsel for Defendant

CERTIFICATE OF SERVICE
L.R. 5.2(b)

I hereby certify that on August 27, 2020, a copy of the foregoing document was served on the following persons by the following means:

 1 CM-EDF
 Hand Delivery
 3 Mail
 Overnight Delivery Service
 Fax
 2 E-Mail

1. CLERK, UNITED STATES DISTRICT COURT

2. BRYAN DAKE
Assistant United States Attorney
United States Attorney's Office
2601 2nd Avenue North
Billings, MT 59101
Counsel for the United States.

3. VICTOR ELVIN LOPEZ
Defendant

/s/ Steven C. Babcock
STEVEN C. BABCOCK
Federal Defenders of Montana
Counsel for Defendant